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2008
U.S. DISTRICT COURT
S.D.N.Y.
BAER
JUDGE

Via Fax No. 212 805 7901

February 04, 2008

Honorable Harold Baer, Jr.
United States District Court
Southern District of New York
500 Pearl Street
New York NY 10007

Re: Bejjani v. Manhattan Sheraton
Index: 07CV10729

Request for a new Pre-Trial Conference Date

Dear Judge Baer:

This letter is the result of my telephone call to Chambers this past Friday regarding Ms. Linda Eckhouse's letter dated December 17, 2007, notifying me of a Pre-Trial Conference on the above case set for this Thursday February 7, 2008. In light of the following facts, I believe that this Conference should be rescheduled at this time.

In the weeks immediately preceding the filing of the complaint in this case, we (the complainants) made an eleventh hour attempt to negotiate directly with the employer (Manhattan Sheraton) hoping to resolve our differences without having to resort to judicial intervention. We nonetheless filed the complaint on November 30, 2007 as a precautionary measure to preempt any possible statute of limitation defense should the prosecution of a judicial complaint become necessary. We therefore did not serve the complaint on the defendants.

In early January 2008, we learned that both defendants were aware that a judicial complaint had been filed, and although the employer had taken initial steps to begin negotiating, it communicated to us that in light of this development it would have to seek legal advice and then notify us as to whether it would negotiate with us directly. We have not yet heard from the employer. We therefore began consultations last week aimed at retaining legal representation in this matter.

Should we have no timely concrete results, we intend to retain legal representation and serve the complaint before the expiration of the 120 days allowed for service. We therefore respectfully ask your honor to have this Pre-Trial Conference re-scheduled for a future date contingent upon the complaint having been served. We do look forward to your order granting same.

Respectfully,

Joseph Bejjani
Joseph Bejjani, Pro Se
Fax 1 323 443 3935

2/4/08
Important
your request & mine are the matter
quite different. Resolve the matter for a
date of Pre-Trial Conference. I am willing to
call chambers if D's are willing to
date for mediation or serve the complaint.
I will call you to March 6 at 3 PM
all parties added in chambers & you
shall notify them promptly
SORDERED
Harold Baer
USDS

Endorsement:

Unfortunately your agenda and mine are quite different. Resolve the matter, call Chambers if defendants are willing for a date for mediation or serve the complaint. I will adjourn to March 6 at 3 PM all parties will be in Chambers and you will notify them promptly.